IMT Nuremberg Archives

H – 4985

International Court of Justice

H4985 - 0002

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 26. 4. 48

I certify that Document Number 2521-PS was introduced into evidence as Exhibit Number RF-1538 in the Trial by the International Tribunal of Hermann GOERING, et al, which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

FRED NIEBERGALL
Chief, Document Control Branch

DCB-36 (102447)

H4985 - 0003

C E R T I F I C A T E

I hereby certify that the annexed document 2521-PS No. RF-1538 is a photostat of an original document submitted in evidence by the United States Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Nürnberg, 20. 8. 46

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

2521-PS
1

A b s c h r i f t .

SS-Wirtschafts-Verwaltungshauptamt,
Amtsgruppenchef D -Konzentrationslager — Oranienburg, den 18.8.1942.

D I / Az.: 14 c 2 / Ot. / U.-

geheim Tagebuch Nr. 551/42

Betr.: Häftlinge, die unter den Keitel-Erlaß fallen.
Bezug: Reichssicherheitshauptamt - IV C 2 Allg.Nr.103/42 vom 14.8.42 und anliegender Auszug vom 4.8.42.
Anlg.: - 1 -

An die
Lagerkommandanten der Konz.-Lager
Da., Sa., Bu., Mau., Flo., Neu., Au., Gro-Ro., Natz.,
Nie., Stu., Arb., Rav. und Kriegsgefangenen Lager Lublin.

Anliegender Auszug aus dem"Nacht- und Nebel-Erlaß" zum Dienstgebrauch bei den Konzentrationslagern, betr.Häftlinge, die unter den "Keitel-Erlaß" fallen, übersende ich zur Kenntnisnahme und Durchführung.

Bei etwaiger Überstellung solcher Häftlinge ist darauf hinzuweisen, daß diese Häftlinge unter den "Keitel-Erlaß " bzw. " Nacht- und Nebel-Erlaß " fallen.

gez. G l ü c k s ,
SS-Brigadeführer und
Generalmajor der Waffen-SS.

Für die Richtigkeit der Abschrift:
Natzweiler, den 24. August 1942.

SS-Unterscharführer.

An die Abt.III mit der Bitte um Kenntnisgabe an Poststelle.

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
RF Exhibit 1538
Filed August 1st 1946

A 103726

F 91

H4985 – 0004

H4985 - 0005

2521-PS.

Abschrift.

IV D 4 - 103/42 g.

Berlin, den 4. August 1942.

Auszug

aus dem Nacht- und Nebel-Erlaß zum Dienstgebrauch bei den Konzentrationslagern.

Durch Erlaß des Chefs des Oberkommandos der Wehrmacht vom 12.12. 1941 über die Verfolgung von Straftaten gegen das Reich oder die Besatzungsmacht in den besetzten Gebieten (kurz "Nacht- und Nebel=Erlaß" genannt) ist auf Grund einer Anordnung des Führers verfügt worden, daß Personen, die sich in den besetzten Gebieten gegen das Reich oder die Besetzungsmacht vergehen, aus Abschreckungsgründen ins Reich überführt werden. Hier sollen sie einem Sondergericht überstellt werden. Falls dies aus irgendwelchen Gründen nicht mög=lich ist, werden diese Personen unter Schutzhaftverhängung in ein Konzentrationslager eingewiesen. Die Schutzhaft dauert in der Regel bis Kriegsende.

Da es der Zweck dieses Erlasses ist, Angehörige, Freunde und Bekannte über das Schicksal der Häftlinge im Ungewissen zu lassen, dürfen diese keinerlei Verkehr mit der Außenwelt haben. Sie dürfen daher weder selbst schreiben, noch Briefe, Pakete oder Besuche empfangen. Auch darf außenstehenden Stellen keinerlei Auskunft über die Häftlinge gegeben werden.

Treten Todesfälle ein, so sind die Angehörigen bis auf weiteres nicht zu banachrichtigen. Die endgültige Regelung dieser Frage steht noch aus.

Diese Bestimmungen gelten für alle Häftlinge, bei denen in den Schutzhaftunterlagen bzw. in den Schutzhaftbestätigungen des Reichssicherheitshauptamtes vermerkt ist, daß sie unter den Nacht- und Nebelerlaß fallen. Ferner fallen alle Häftlinge darunter, die als Häftling zum Fall "Porto" oder "Continent" bezeichnet werden.

Falls Häftlinge, die unter den Nacht- und Nebelerlaß fallen, ver=sehentlich Gelegenheit hatten, ihre Angehörigen zu benachrichtigen, ist ihnen aus taktischen Gründen der weitere Schriftwechsel mit ihren Angehörigen im Rahmen der allgemeinen Bestimmungen über den Briefverkehr der Schutzhäftlinge weiterhin zu gestatten.

gez. Dr. Hoffmann.

(Siegel) Beglaubigt:
gez. Unterschrift
Kanzleiangestellte.

Für die Richtigkeit der Abschrift:
Natzweiler, den 24. August 1942.

SS-Unterscharführer.

A 103727

F91

H4985 – 0006

TRANSLATION OF DOCUMENT NO. 2521-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Copy

Oranienburg, 18.8.1942.

SS Chief Office of Economy Administration,
Chief of Branch D - Concentration Camps.

(i.e. SS-Wirtschafts-Verwaltungshauptamt,
Amtsgruppenchef D - Konzentrationslager)

D I/ Az.: 14 c 2 / Ot./Ve-

Secret Diary No. 551/42.

Subject: Prisoners who come under the Keitel Decree.

Reference: RSHA - IV C 2 Gen.No.103/42 of 15.8.42 and attached extract of 4.8.42.

Enclosure: 1.

To the

Camp Commandants of Concentration Camps

Da., Sa., Bu., Mau., Flo., Au., Gro-Ro., Natz.,

Nie., Stu., Arb., Rav. and Prisoner of War Camp at Lublin.

I am sending you, for information and execution, enclosed extract from the "Nacht-und Nebel-Decree" for service use in concentration camps, in connection with prisoners who come under the "Keitel Decree".

In the event of the transfer of such prisoners it is to be pointed out that the prisoners come under the "Keitel Decree" or the "Nacht-und-Nebel-Decree".

(signed): Glücks,

SS-Brigadefuehrer and
Generalmajor of the
Waffen-SS.

For the accuracy of the copy:

Natzweiler, 24th August 1942.

signature: (illegible).

SS-Untersharfuehrer.

Seal.

To Dept. III with the request to inform the Postal Department.

A 103728

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E/

TRANSLATION OF DOCUMENT NO. 2521-PS
OFFICE OF U.S. CHIEF OF COUNSEL
Cont'd.

COPY.

IV D 4 - 103/42 g. Berlin, 4th August 1942

Extract

from the "Nacht-und Nebel-Erlass" ("Night and Fog Decree")
for service use in concentration camps.

By Decree of the Chief of the Supreme Command of the Armed Forces dated 12.12.1941 regarding the prosecution of punishable offenses against the Reich or the occupation forces in the occupied areas (called in short "Nacht-und Nebel-Decree") it has been decreed by virtue of an order of the Fuehrer, that persons who in the occupied areas take action against the Reich or the occupation forces, shall be removed to the Reich for deterrent purposes. Here they are to be transferred to a special court. Should this not be possible for any reason, these persons will be placed in a concentration camp under sentence of protective custody. The detention as a general rule lasts until the end of the war.

As it is the purpose of this Decree to leave the relatives, friends and acquaintances in uncertainty regarding the fate of the prisoners, they may not have any means of communication with the outside world. They may, therefore, neither write themselves, nor receive letters, parcels or visits. Nor may any kind of information regarding the prisoners be given to any place outside.

In the event of cases of death, the relatives are not to be informed until further notice. There has not yet been a final ruling on this question.

A 103729

H4985 - 0007

H4985 - 0008

These regulations apply to all prisoners regarding whom it is stated in the detention particulars or in the detention certificates of the Chief Office of Reich Security that they come under the Nacht-und Nebel Decree, Further, all prisoners come under it who are described as "Porto" or "Continent" prisoners.

If it should occur that prisoners who come under the Macht-und Nebel Decree, have, through an error, had the opportunity of informing their relatives, further exchange of correspondence with their relatives should, for tactical reasons, be granted them within the framework of the general regulations regarding correspondence for persons under protective custody.

(signed): Dr. Hoffmann.

(Seal) Authenticated :

signed: Signature.
Chancellory Employee.

For the accuracy of the copy:
Natzweiler, 24th August 1942.

(signature): illegible

Seal.

SS-Unterscharfuehrer.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2521 - PS

22. February 1946.

I, BETTY D. RICHARDSON, P.O., WRNS, 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2521-PS.

BETTY D. RICHARDSON,
P.O., WRNS,
66370.

A 103730

H4985-0008A

RF-1538

1538

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY
DOCUMENTATION DIVISION

Doc. No. 2521 PS Date 3 November 1945

STAFF EVIDENCE ANALYSIS

DESCRIPTION OF ATTACHED DOCUMENT (Under following headings).

Title and Nature: Extract from the Nacht und Nebel Order for the Official use in Concentration Camps with a letter of transmittal.

Date: 4 August 42 Original ( ) Copy (X) Language: German

LOCATION OF ORIGINAL (also WITNESS if applicable) as of 3 November 1945: Unknown; copy in OCC Files Nurnberg

SOURCE OF ORIGINAL: F-91

PERSONS IMPLICATED: HITLER, Adolf; KEITEL, Wilhelm; HIMMLER, Heinrich; GLUECKS, Richard

REFERENCES TO INDEX HEADINGS (Key to Par. nos. of Summary below): ATROCITIES: against civilians--CIVIL LIBERTIES AND OTHER RIGHTS: Criminal Law and Procedure Changes in--CONCENTRATION CAMPS--DEPORTATION--POLICE--RSHA--SS--WEHRMACHT:OKW

NECESSARY PROCESSING TO PUT IN EVIDENTIARY FORM; LEADS: Docs. 1731 PS; 1732 PS; 1733 PS

SUMMARY OF RELEVANT POINTS (with page references):

1. The first paragraph summarizes the Nacht und Nebel order. Included is this explanation: If it is not possible to try a person in a Special Court (Sondergericht) he will be sent under protective custody to a concentration camp, usually for the duration of the war.

2. The next two paragraphs contain the restrictions on communications of the prisoners, including the ban on notification of death.

3. The last paragraph makes an exception for prisoners who erroneously were allowed to notify their relatives. They are to be allowed to conduct further correspondence according to the general regulations in force.

Analyst: Hartman Doc. No. 2521 PS

H4985-0009

H4985 - 0010

TRANSLATION OF DOCUMENT NO.2521-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Copy

Oranienburg, 18.8.1942.

SS Chief Office of Economy Administration,
Chief of Branch D - Concentration Camps.

(SS-Wirtschafts-Verwaltungshauptamt,
Amtsgruppenchef D - Konzentrationslager)

D I / Az.: 14 o 2 / Ot./U.-

Secret Diary No. 551/42.

Subject: Prisoners who come under the Keitel Decree.

Reference: RSHA - IV C 2 Gen.No. 103/42 of 14.8.42 and attached extract of 4.8.42.

Enclosure: 1

To the

Camp Commandants of Concentration Camps

Da., Sa., Bu., Mau., Flo., Neu., Au., Gro-Ro., Natz.,

Nie., Stu., Arb., Rav. and Prisoner of War Camps at Lublin.

I am sending you, for information and execution, enclosed extract from the "Nacht-und Nebel-Decree" for service use in concentration camps, in connection with prisoners who came under the "Keitel-Decree".

In the event of the transfer of such prisoners it is to be pointed out that the prisoners came under the "Keitel Decree" or the "Nacht und Nebel-Decree."

(signed) : Gluecks,

SS Brigadefuehrer and
Generalmajor of the
Waffen SS.

For the accuracy of the copy:

Natzweiler, 24th August 1942

signature: (Illegible)

SS-Unterscharfuehrer. Seal

To Dept. III with the request to inform the Postal Department.

H4985 - 0011

Copy

IV D 4 - 103/42 g. Berlin, 4th August 1942

Extract

from the "Nacht-und Nebel-Erlass" ("Night and Fog Decree")
for service use in concentration camps.

By Decree of the Chief of the Supreme Command of the Armed Forces dated 12.12.1941 regarding the prosecution of punishable offenses against the Reich or the occupation forces in the occupied areas (called in short "Nacht- und Nebel-Decree") it has been decreed by virtue of an order of the Fuehrer, that persons who in the occupied areas take action against the Reich or the occupation forces, shall be removed to the Reich for deterrent purposes. Here they are to be transferred to a special court. Should this not be possible for any reason, these persons will be placed in a concentration camp under sentence of protective custody. The detention as a general rule lasts until the end of the war.

As it is the purpose of this Decree to leave the relatives, friends and acquaintanceses in uncertainty regarding the fate of the prisoners, they may not have any means of communication with the outside world. They may, therefore, neither write themselves, nor receive letters, parcels or visits. Not may any kind of information regarding the prisoners be given to any place outside.

In the event of cases of death, the relatives are not to be informed until further notice. There has not yet been a final ruling on this question.

H4985 - 0012

These regulations apply to all prisoners regarding whom it is stated in the detention particulars or in the detention certificates of the Chief Office of Reich Security that they come under the Nacht- und Nebel Decree. Further, all prisoners come under it who are described as "Porto" or "Continent" prisoners.

If it should occur that prisoners who come under the Nacht- und Nebel Decree, have, through an error, had the opportunity of informing their relatives, further exchange of correspondence with their relatives should, for tactical reasons, be granted them within the framework of the general regulations regarding correspondence for persons under protective custody.

(signed): Dr. Hoffmann.

(Seal) Authenticated:

signed: Signature.
Chancellery Employee.

For the accuracy of the copy:

Natzweiler, 24th August 1942.

(signature): illegible
SS-Unterscharfuehrer.

Seal.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2521 - PS

22.February 1946.

I, BETTY D. RICHARDSON, P.O. WAAS, 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2521-PS.

BETTY D. RICHARDSON,
P.O., WAAS,
66370.

H-4985

Filed August 1, 1946

EXHIBIT-USA RF 1538 (2521-PS)

RF

EXHIBIT-USA

(2521-PS)

RF 1538

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EXHIBIT-USA RF 1538 (2521-PS)

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